

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-2107**

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January 10, 2012

The Honorable Lisa P. Jackson  
Administrator  
U.S. Environmental Protection Agency  
1200 Ariel Rios Building  
Washington, DC 20460

Dear Administrator Jackson:

I thank you for your attention to the environmental and public health issues related to the chemical dioxin over the past three years, and for making the release of the EPA's long-delayed 'Dioxin Reassessment' a priority of your leadership. This scientific assessment of dioxin's health impacts is important so that any additional steps to protect the public from one of the most toxic chemicals known to science can be taken. The release of EPA's latest TRI (Toxic Release Inventory) analysis indicates that total disposal or other releases of dioxin increased from 2009-2010. According to EPA's analysis, air releases of dioxin rose 10 percent from 2009 to 2010 and total disposal or other releases, such as landfill disposal, increased 18 percent. The increase of dioxin in the environment only further supports the need for immediate steps to be taken to protect the public from this dangerous chemical. Therefore, I strongly urge you to move swiftly in releasing the full scientific assessment of dioxin's health impacts.

Dioxin causes a wide array of adverse health effects and in addition to being associated with increased risk of cancer; dioxin is also linked to reproductive, developmental, immunological, and hormonal impacts in both animals and humans. On April 11, 2011, I along with 72 other members of Congress wrote to you expressing deep concern that the EPA's Dioxin Reassessment has been delayed time and time again for more than 20 years.<sup>1</sup> Since we wrote to you, the EPA's Science Advisory Board (SAB) issued their final report on August 26, 2011, which reviewed 'EPA's Reanalysis of Key Issues Related to Dioxin Toxicity and Response to NAS Comments.'<sup>2</sup> This reanalysis was first issued in May 2010 and it was my understanding that the SAB's review of this document was to be among the final steps in the Dioxin Reassessment process. On August 29, 2011, EPA announced its final plan for completing the Dioxin Reassessment.<sup>3</sup> EPA committed to completing the portion of the reassessment relating to non-cancer health impacts and posting it to the IRIS<sup>4</sup> database (an EPA database containing information on human health effects resulting from exposure to various environmental substances) by the end of January 2012 and to then complete the cancer portion of the reanalysis "as quickly as possible." EPA stated that once the Agency completes both the non-cancer and cancer portions of the reanalysis, the Dioxin Reassessment would be considered final.

<sup>1</sup> [http://markey.house.gov/index.php?option=com\\_content&task=view&id=4301&Itemid=141](http://markey.house.gov/index.php?option=com_content&task=view&id=4301&Itemid=141)

<sup>2</sup> [http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr\\_activites/9DE6A0825A9C050F85257412005EA22A/\\$File/Dioxin+-+Main+Text+-+SAB-ERD.pdf](http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr_activites/9DE6A0825A9C050F85257412005EA22A/$File/Dioxin+-+Main+Text+-+SAB-ERD.pdf)

<sup>3</sup> <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=209690>

<sup>4</sup> IRIS: Integrated Risk Information System

I am very concerned that the American Chemistry Council (ACC) and other impacted industry sectors are now pressuring EPA to further delay the release of this important document. In the recent fiscal year 2012 omnibus (H.R. 2055) Congress included text that stated *"For draft assessments released in fiscal year 2012, the Agency shall include documentation describing how the Chapter 7 recommendations of the National Academy of Sciences (NAS) have been implemented or addressed, including an explanation for why certain recommendations were not incorporated."*

Recently the ACC, sent a letter to you asking for the Dioxin Reassessment to be further delayed.<sup>5</sup> In this letter the ACC has inaccurately characterized this omnibus rider language stating that, "to comply with Congress's direction, EPA should withdraw the dioxin assessment from interagency review and take the necessary steps to implement the NAS recommendations."

This is a significant misinterpretation of the provision that was enacted. The Dioxin Reassessment was not released in draft form in fiscal year 2012, and therefore this stipulation does not apply to the EPA's Dioxin Reassessment. The EPA's draft dioxin health assessment report was written in 1985, with revised drafts issued in 1994, 2000, and 2003. Since then, the Dioxin Reassessment has been in the final stages for close to nine years. In addition, in 2006, the National Academy of Sciences (NAS) issued a very detailed report reviewing the EPA's Dioxin Reassessment. Since the NAS issued its report, the EPA issued a response to the NAS report and formed a Science Advisory Board to review the EPA's response to the NAS. Prior to that, the EPA had formed three separate science advisory review panels in 1988, 1995, and 2001 to review the draft dioxin report. Additional reviews are not necessary, would be an extreme waste of government resources, are not called for by the omnibus language, and would only serve to further delay the completion of this important public health document.

Therefore, I am writing to strongly urge you to reject industry's call for further delays and meet your schedule of finalizing the non-cancer portion of the dioxin reanalysis by the end of this month and to finalize the cancer portion as quickly as possible thereafter, as you have pledged. The American public has been waiting for the completion of this dioxin study since 1985 and cannot afford any further delays.

Thank you for your attention to these concerns and for your commitment to protecting human health and the environment.

Sincerely,

  
Edward J. Markey

cc: Cass Sunstein, Administrator, Office of Information and Regulatory Affairs  
Nancy Sutley, Chair, White House Council on Environmental Quality (CEQ)  
Paul Anastas, Assistant Administrator, Office of Research and Development, EPA  
Rebecca Clark, Acting Director, National Center for Environmental Assessment, EPA

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<sup>5</sup> <http://www.americanchemistry.com/Policy/Regulatory-Reform/Cal-Dooley-Letter-to-Administrator-Jackson-Fix-Dioxin-Reassessment.pdf>